

RENEW FIGHT
ON SATURDAYOrders Given to Chinese Imperial
Troops To-day

BY THE SHANGHAI COURT

This Step Is Assumed to Be the Result
of Refusal of Revolutionaries to Con-
tinue Negotiations with the
Authorities by Telegraph.

Shanghai, China, Jan. 4.—The imperial government sent orders to-day to all generals in command of imperial troops that they are to resume hostilities on January 6, unless they receive notification in the meantime that an armistice between the two forces had again been renewed. This step, it is assumed here, is the result of the refusal of the revolutionaries to continue negotiations with the Peking authorities by telegraph in accordance with the demands of the premier.

SUED FOR \$25,000
AND GOT \$6,416.75Harlan P. Armstrong, Mail Clerk on the
Central Vermont Railroad Between
Boston and St. Albans,
Got Verdict.

Boston, Jan. 4.—Harlan P. Armstrong was awarded a verdict of \$6,416.75 against the Central Vermont Railroad company by a jury in the first session of superior court yesterday. Armstrong was a railway mail clerk running between Boston and St. Albans, Vt. On Jan. 13, 1907, he received injuries from a collision between his train and another train at South Royalton, Vt. He sued for \$25,000.

WOMAN PRESSED TRIGGER

And Bullet Passed Dangerously Close to
Her Nephew's Head.

Burlington, Jan. 4.—Albert Marks, a waiter at the Plaza cafe, had a narrow escape from being accidentally shot in the head Tuesday afternoon. Marks called at the home of his aunt, Mrs. Bessie Perelman, on North Winslow street, and while there she undertook to show him a revolver that belonged to her husband. It was a 32-calibre gun and Mrs. Perelman did not know how to load it. She was so nervous that she fired the bullet into the air. The bullet passed within a few inches of Marks' head and imbedded itself in the wall immediately back of him and the discharge took place so close to his head that his face and eyes were liberally splattered with the burnt powder. Marks was blinded for some minutes by the powder and Mrs. Perelman, when she realized what she had done, was so frightened that she fainted and was taken to a nearby hospital.

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CLOTHED IN BLANKET.

Man With Tremors Dashed Through the
Streets in Roxbury, Mass.

Boston, Jan. 4.—With only a bedspread covering his nakedness, a man who was bleeding from a score of small wounds, created some excitement by dashing through the streets of Roxbury this morning. Later he was captured by police on a street car. When taken to the police station, the man gave his name as James Wash and he said that he had escaped from a city hospital. The hospital authorities were notified, and the man was returned to the institution. He was reported to be suffering from delirium tremens.

VERMONT SUSPECT RELEASED.

Man Taken in Bennington Doesn't Re-
semble Donato.

Troy, N. Y., Jan. 4.—Samuel Bassano, turned over to the sheriff here by Bennington, Vt., authorities, because he was believed to bear a resemblance to Edward Donato, wanted in connection with the slaying of four members of the Morner family on their farm near DeFreestville, Dec. 13, was released yesterday and his fare paid back to Vermont, where he was at work on the day given. Persons who knew Donato said that Bassano bears no resemblance to the young Italian sought.

MIMIC FIGHT OFF CUBA.

Entire Atlantic Fleet Will Engage in
Battle Acknowledged to Be Difficult.

Washington, D. C., Jan. 4.—Somewhere off the coast of Guantanamo, Cuba, during the next few weeks, the entire Atlantic fleet of twenty-one battleships, four armored cruisers and a dozen torpedo boat destroyers will be engaged in one of the most difficult games of mimic warfare ever devised for American naval commanders. Not an inkling of the plans to be worked out have been made public.

Ludlow in 1912.

What has the year nineteen hundred and twelve in store for Ludlow? And what are you going to do, citizen of Ludlow, to ensure the best things for your town? Co-operation is the most effective preventive of disintegration. Let's co-operate, without prejudice and with an eye single to the welfare of the town, to advance its business, its moral, its social and its educational interests. It's a question of individual responsibility—nothing more, nothing less.—Ludlow Tribune.

VOTED FOR AUTO FIRE TRUCK.

St. Johnsbury Village Will Expend \$7,500
For the Apparatus.

St. Johnsbury, Jan. 4.—At the annual meeting, yesterday, the old officers of last year were all re-elected with the exception of one fire warden. Voting was done by the Australian ballot system.

At the business meeting, which was taken up at 1:30, an appropriation was made for the benefit of the St. Johnsbury band to the amount of \$600. They are to give sixteen evening concerts in return for it. Some attempt was made to divide this amount between the St. Johnsbury band proper and the so-called Harmony band, but the attempt failed. Last year this was done and the result was that two bands furnished concerts. Frank Brooks spoke of the coming of a ward for patients infected with a contagious disease at the local hospital. This word of warning came to this time because of the scarlet fever scare and the epidemic of smallpox in the surrounding towns. No action was taken at this time.

One of the most important acts was the passage of the resolution authorizing the village trustees to purchase an auto truck with a chemical engine and the proper apparatus for assisting in the treatment of patients infected with the scarlet fever. The trustees were authorized to purchase one not to exceed \$7,500.

AGED CASHIER CONFESSES.

Dearing and His Son Robbed the Albion
Bank of \$144,000.

Battle Creek, Mich., Jan. 4.—In the hearing last night before United States Commissioner Clark, H. M. Dearing, cashier of the failed Albion National bank, and his son, P. M. Dearing, pleaded guilty to charges of embezzlement and forgery. They were bound over to the Detroit grand jury and bonds were placed at \$25,000 each.

Both men made full confessions. They told of their operations by which they obtained \$100,000 from the bank by means of notes to which they forged either fictitious names or the names of wealthy farmers living near Albion. In addition to this amount they admitted that forged documents signed by the Cook Manufacturing company, of which the elder Dearing was president and the son secretary-treasurer, would bring their total pecuniary gain to about \$144,000.

For several hours prior to the arraignment, the elder Dearing assisted the district attorney and commissioner in drawing up the warrants that were to send him and his son to prison. The father, an aged, white-haired man, told the story of his dealings with quivering lips.

JOY RIDE ON LOCOMOTIVE

Resulted in Wreck on New Haven Sys-
tem Last Evening.

Webster, Mass., Jan. 4.—A locomotive joy ride is declared by New York, New Haven & Hartford railroad officials to have been the cause of a head-on collision last night with the Norwich line boat train running between Worcester and New London, the slight injury of eleven passengers and the arrest of Ralph I. Jardine, a Worcester cigarmaker, who is said to have been at the throttle of the wild engine. The passengers on the boat train were given a bad fright and shock. The most seriously injured was Mrs. Benjamin Savory of Williamstown, Conn., who suffered a fracture of the lower jaw, and numerous cuts and bruises.

While the engine was standing without an occupant in the railroad yard at Worcester, Jardine is said to have climbed aboard and to have run it over 17 miles of track in a wild flight to this city, where he met the boat train and the collision occurred. Both engines were wrecked. Flying coals set fire to the express car of the boat train and the local department was called out to extinguish the blaze.

TAPPING GAS PIPE

Is Charged Against Joseph White of
Burlington.

Burlington, Jan. 4.—Joseph White, who sprang into fame a few months ago by suing the hotel Vermont corporation for \$10,000, which he claimed resulted from injuries received while at work there, was heard of again yesterday afternoon when he was arrested by Deputy Sheriff Todd at his home on Walnut street on a warrant issued by State's Attorney H. B. Shaw for tapping gas pipes belonging to the Burlington Light & Power company.

White formerly worked for the company and in this manner became rather clever with the tools, and when the officials visited the place yesterday, they found a pipe attached to the service where a meter had formerly been. The pipe was concealed by some meal bags and was found to be attached to a gas range in the kitchen on the second floor of the house. White was placed in jail and will probably be given a hearing in city court.

MORGANIZING THE MAGAZINE.

Muck-Raking Writers Take to the Lec-
ture Platform to Tell Stories.

A significant piece of corroboration comes just at this time to give color to the report that Wall Street has stopped the mouths of the muck-rakers. Their pens, rather, for close on the alleged Morganizing of the magazines comes the news that such prominent writers as Eugene Wood and Charles Edward Russell have taken to the lecture platform, there to tell the stories of certain magazines.

No less significant is the alleged fact that in the last three months the national Socialist party has developed the largest lecture bureau ever known in America for the purpose of touring speakers, whose work will be essentially to continue what was begun in Everybody's, McClure's, Cosmopolitan, American, Hampton's and other periodicals, but has now been discontinued.

Charles Edward Russell is to speak in the Congregational church Tuesday evening, January 9. His subject is to be "How We Are Gouged," and local Socialists, who are managing the lecture, promise that he will tell more things than have been even hinted at in the magazine exposures.

Public Scotch dance, Worthen hall Saturday, Jan. 6, 8 p. m. Gents, 50c; ladies, free.

FOSS ASSERTS
PEOPLE RULEAs He Took Up Reins of Gov-
ernment in Massachusetts

THE MACHINE ORDERED OUT

First Time in Eighteen Years That a
Democratic Governor Began Second
Term in Bay State—Foss De-
clares for Initiative, Etc.

Boston, Jan. 4.—Eugene Noble Foss, the presidential candidate of the Democratic state committee of Massachusetts, succeeded himself as governor to-day in the presence of the Massachusetts legislature and before a distinguished assembly of invited guests. It was the first time in eighteen years that a Democratic governor began his second term in Massachusetts.

The oath of office was administered to Governor Foss and Lieutenant-Governor Luce by President Greenwood of the Senate. For the first time in twenty years a new secretary of state, William A. Langtry, uttered the proclamation. When proclaimed as chief executive, Gov. Foss delivered his inaugural address.

After declaring that the people are rapidly assuming the management of their affairs and as rapidly relegating the political machine to the rear, Gov. Foss repeats the expression of his confidence in the direct primary system, but asserted his belief that the fixed party enrollment in the Massachusetts law should be done away with, "as the voter is entitled to the same secrecy at the primaries which is now accorded him at the polls."

He reaffirmed his support of the initiative, referendum and the recall, and as the "popular verdict was an approval of this position" (his former support of the principles), he again urged the measure on the legislature. Coming to popular election of United States senators, Gov. Foss advocated such elections, and he proposed for a law enabling the voters to express their choice of candidates for nomination for president and vice-president.

The statutes for safeguarding elections should be strengthened; the legislature should prohibit all campaign advertising, all participation by corporations in elections, all hiring or leasing of conveyances and all expenditure of money at the polls. He also advocated heavy penalties to make the statutes enforceable. Buying and selling votes should be punished, and all candidates and committees should be compelled to make sworn statements of expenses "the day before election." To give the candidates a chance, he recommended a state pamphlet, in which each candidate shall be given space to set forth his claims.

On the equal suffrage question, Gov. Foss favored submission to popular vote. He favored "home rule" for cities. Protection of forests was urged, as the state forester asserts that \$25,000,000 a year could be derived from the state's timber under proper scheme of development, whereas at present "our timberland is nonproductive because of the absurd system of repeated taxation on standing timber."

Gov. Foss further urged a state finance board to prepare state and county expenses, to pass upon estimates, to introduce uniformity and efficiency and to outline for the legislature a fair distribution of annual expenses. More power for the public utilities board is wanted; also the creation of a labor bureau. He asked for the establishment of a state fair. He trusts that the legislature will not longer withhold its consent to the federal income tax.

Under the heading of "Transportation and Holding Companies," the governor makes a direct attack on the Boston Holding company, declaring:

"The Boston Holding company must be dissolved. This is the first step toward securing the right of the people to adequate service. If the two railroads concerned are not parallel and competing in violation of the Sherman act, there is no objection to a consolidation of these properties, under proper restrictions and conditions. The principal condition is that the two lines shall be physically connected, and thus provide through passenger and freight traffic."

"We have to-day a virtual consolidation of these properties without receiving the public benefits which should be a condition of, and logically follow, such consolidation."

"The connection of these two properties is the one great necessity of our railroad situation, and there are two means of accomplishing it. The railroads may be required to provide the connection of their lines as one of the conditions of their consolidation; or the public itself can assume the ownership of our rail lines, and furnish the necessary connection. Either course will give the people full power to enforce the reasonable performance of every sort of public service; and it will ensure to the railroads themselves a greater security for their capital and a larger and more stable development than can be obtained in any other way, for it will completely clear away the uncertainties of the present situation."

WILLIAMSTOWN.

The second half of the dancing school will commence Friday evening, Jan. 5. The gray mare, owned by J. K. Lynde company, which was taken sick a week ago yesterday at Howard Winchester's, was taken home yesterday and appears to be gaining all right. Ernest Bancroft of South Barre was the veterinary.

A fair number were present at the grange meeting last evening, when the newly elected officers were installed by Mrs. Whitcomb of Washington grange. After the installation exercises, there was a pleasant and enjoyable program, also a supper provided by the committee. By a new ruling of the postoffice department, the rural carriers will leave the office here at 9 o'clock a. m., commencing to-day. This schedule is to be in effect from Dec. 16 to March 15, inclusive. March 16 to December 15, inclusive, leave the office at 7 a. m.

NET PROFIT FROM FAIR

Reported to Addison County Agricultural
Society Yesterday.

Middlebury, Jan. 4.—The annual meeting of the Addison County Agricultural society in the town hall yesterday afternoon was largely attended. The reports of Secretary Frank C. Dyer of Salisbury and Treasurer Charles F. Rogers of Middlebury were unanimously adopted. The treasurer's report gives the receipts from the fair last fall as \$14,027.09 and the disbursements as \$13,350.13, leaving a net profit of \$677.96. The general account shows receipts of \$5,495.27 and expenditures of \$5,000.00, of which \$2,540.81 was for new construction, leaving a balance of \$479.22 and with other assets, a balance of \$4,978.20.

President John E. Weeks of Middlebury was elected president and on taking the chair made a brief address in which he mentioned that this was his fifth election to the office. He made several recommendations, among them that the price of season tickets be raised from \$1.50 to \$2 and a motion to this effect, made by J. H. Donnelly of Vergennes, was carried unanimously. Col. S. O. Halsey of Middlebury was chosen first vice president, and E. N. Bissell of Shoreham, second vice president.

The other officers elected are: Secretary, F. C. Dyer of Salisbury; treasurer, Charles F. Rogers of Middlebury; auditors, Charles A. Chapman of Ferrisburgh, J. M. Burke of Middlebury; directors for three years each, John A. James of Weybridge, William C. Hack of Orwell, and Cyrus H. Smith of Bridport. The next fair will be held August 27, 28, 29 and 30.

The meeting was followed by the customary entertainment provided by Colonel Halsey. It was given by the Standish male quartette of Boston and by Herbert A. Clark of Boston, humorist, singer and impersonator.

RUTLAND FAIR PROSPEROUS.

Cleared \$5,000 Over Expenses Last Year.
It Was Reported.

Rutland, Jan. 4.—The Rutland County Agricultural society cleared \$5,000 over and above the expenses of the fair of 1911, according to the reports of the officers at the annual meeting here yesterday afternoon. The total receipts were \$15,214.31 and after paying \$1,000 on old indebtedness, \$2,700 on building and improvements and \$1,300 towards the new grandstand, in addition to current expenses, there is a balance of \$2,914.31 in the hands of Treasurer Will L. Davis.

The largest day's receipts were \$5,354.49, when 16,321 paid admissions were recorded. The society paid \$2,711.63 for races, \$2,326.12 for premiums and judges and \$2,895.54 for special attractions. It was decided to make a new floral hall one of the improvements for 1912.

The following officers were elected: President, W. E. Carter, Pittsford; vice presidents, E. M. Wilson of Rutland and Robert Mead of West Rutland; secretary, W. E. Parsons of Rutland; treasurer, Will L. Davis of Rutland; auditors, Fred A. Field, F. O. Dunton and W. R. Kincaid, all of Rutland; trustees, W. E. Carter of Pittsford and G. S. Haley and W. H. Spaulding of Rutland.

ENTIRE TRAIN OFF TRACK

But About the Only Damage Was to
Central Vermont's Track.

St. Albans, Jan. 4.—Yesterday was one of unusual delays on the Central Vermont, the trouble beginning when the early morning Boston-Montreal sleeper was held up two and a half hours by a freight train, disabled between Georgia and Oakland. This also delayed the early southbound mail train.

About two hours later the derailment occurred near Stanbridge, Vt., of the southbound New England States Limited, due here at 10:32 a. m. For some unexplained reason, the entire train of five cars went off the iron wheel running at a high speed. The track and roadbed was torn up for 30 rail lengths, but none of the cars was upset and the only damage done was that to the running gear.

A wrecking train and crew was hurriedly dispatched to the scene, together with a special train to bring the passengers and baggage. A special train was made up here to replace the regular. The noon train, No. 18, southbound, was held here to take the delayed passengers toward Boston and this delayed the up-train, No. 17, due at 2:15, which did not arrive until nearly 4:00 p. m. In all the mix-ups not a passenger nor employee was injured. It was one of those days when things would go wrong and there seemed to be no end to it.

IS ACUTELY INSANE.

Young Man Who Attacked Bennington
Man With An Axe.

Bennington, Jan. 4.—Ovelda Perault, aged 21, who was committed to the county jail Tuesday as suffering from acute insanity, following an attack with an axe upon George Mattison of North Bennington, was taken to Brattleboro yesterday. Young Perault, accompanied by his father, August Perault of Congress street was placed on the car by Officer Hurley. He offered no resistance but when a crowd formed about the car, he became violent and put up a strong resistance. Shackles were placed upon his feet and four men had to hold him down.

Complaint was made to W. T. Nary, superintendent of the trolley line, and he at first refused to allow the car to depart. However, Overseer of the Poor George R. Mathers questioned the report of the road to refuse such passengers and upon his assurance that the prisoner was no longer violent, the car was permitted to leave.

Young Perault was committed to the Brattleboro retreat for treatment. He spent six months in that institution in 1908 and was discharged as rational.

DEATH DUE TO A FALL.

Mrs. Rosella Menard of St. Albans Broke
One Hip.

St. Albans, Jan. 4.—The death of Mrs. Rosella Menard occurred early yesterday morning at her home on Fairfield street, following injuries sustained a few days ago when she fell and broke one hip. Mrs. Menard is survived by a son, Frank Menard of Fairfield, and a daughter, Mrs. Stanley Clemens of Boston. The funeral was held this morning at 11 o'clock at St. Mary's church.

OPENLY DEFY
SCHOOL LAWBy Refusing to be Vaccinated to
Prevent Smallpox

IS SITUATION AT OLEAN, N. Y.

About 500 School Children Complied
with Order of Board of Education and
2,000 Refused, Being Backed by
the Anti-Vaccination League.

Olean, N. Y., Jan. 4.—About two thousand children have been excluded from the public schools here because of failure to comply with the order of the board of education requiring vaccination. About five hundred school children complied with the order. The Anti-Vaccination league offered to defend any person who was arrested under the compulsory education law. There were 46 cases of smallpox here last year.

SMALLPOX PATIENT LOOSE.

Lumberman Thought He Had Blood Poi-
soning and Started For Hospital.

North Conway, N. H., Jan. 4.—A case of smallpox has been discovered at one of the lumber camps of the Conway company at Passaconaway, A. S. Sweden, who came from the camp, a distance of 20 miles from here, to the train at Conway, N. H., on Monday afternoon to go to Berlin for treatment for blood poisoning, as he supposed, resulting from a cut.

He spent some time in the Conway station before taking the train, and then changed cars at Intervale, N. H., where he was obliged to wait several hours. On reaching Berlin he went to the hospital, where it was discovered that he was suffering from smallpox. The authorities at Berlin notified Dr. G. H. Shedd of this place, chairman of the board of health, who has been looking no time in having all camps in which this man had been, placed under quarantine and the railroad station and passenger cars fumigated. He also ordered trainmen and all those known to have come in contact with the man to be vaccinated immediately.

Case of Smallpox at Franklin, N. H.

Franklin, N. H., Jan. 4.—Dr. George Cook of Concord was called here yesterday to see a suspected case of smallpox. He decided that the patient, a young man named Welch, had the disease and the patient was at once placed under quarantine at his home on Central street. This is the first case here for nearly a year.

MADE NEW CITIZENS.

A Number of Aliens Take the Oath in
United States Court.

The United States court for naturalization purposes was held at Montpelier yesterday and continues through to-day. Those passing the examination and receiving second papers were: Barre, Philip Rossi, Switzerland; Casarsa, Maria, Giacomo, Giachiera, Domenico, Ceresa, Riccardo, Sironi, Battista, Malnati, Angelo, Fontana, Luigi, Vali, Alfredo, Ami, Paolo, Lucchini, Italy; Giacinto Vaili, Switzerland.

Webster, Gonzala, Aja, Spain; Waterbury, Thomas, Parker, Arabia; Montpelier, David, Caron, Canada; Jose Perez, Spain; John Arthur Nason, New Brunswick; Giovanni Battista Franceschi, Italy; William Theodore Richards, Canada; Ricardo Trueba, Spain; Gavetto, Pietro, France.

Those who made application for second papers yesterday were all from Montpelier: Maurice Rokovitz, Samuel Gratsky, Usac, Aronski, Russia; Jose Cantara, Spain; Giuseppe Aroli, Italy. Applications for second papers were made by Antonio Ossola of Barre, a native of Italy; Alexander C. Sim of Northfield, native of Scotland; and Luis Juras (native of Austria) and Hilda Uchinsky (native of Russia) of Montpelier.

Judge J. L. Martin presided at the session of court and was assisted by Clerk F. S. Platt and Marshal Horace W. Bailey.

CIVIL WAR MAN GONE.

Harry M. Densmore of East Street Died
in Winoski.

The death of Harry M. Densmore of 202 East street occurred at 10:30 last night, at the home of his son in Colchester, where he had gone on a visit several days prior to New Year's. Death was due to a complication of diseases growing out of heart trouble. Mr. Densmore's death came unexpectedly. Besides his wife, he leaves three daughters, Mrs. A. N. Troup, Mrs. George Collier and Miss Pearl Densmore of Barre, and three sons, William Densmore of this city, Carl and Frank Densmore of Colchester.

Mr. Densmore had been a resident of Barre for the past eighteen years. He was born in Colchester about sixty-five years ago, and there he passed the greater part of his early life. When the Civil war broke out in '61, he enlisted and saw considerable service in those trying times. The deceased was known among his friends as possessing a quiet and retiring disposition. He attended the Methodist church until ill health compelled him to remain indoors much of the time. The body will be brought to this city to-morrow. The funeral arrangements have not been made, but the burial will take place in Hope cemetery.

This Is a Much Towle-d Tale.

South Franklin, Jan. 4.—There probably is not another town in New England or the United States where a good-sized Sunday school is offered by persons all bearing the same family name, as is the Methodist Episcopal church here. The newly elected officers are: Superintendent, H. E. Towle; assistant, G. E. Towle; secretary, Clare Towle; treasurer, G. E. Towle; chorister, W. H. Towle; organist, Miss Maude Towle.

NEW BRIDGE IN PLACE.

Substantial Steel Structure Spans Black-
well Street For Railroad Traffic.

Immediately after the passing of the 8 o'clock train yesterday morning, bridge builders started to transform the old wooden bridge over the Blackwell street underpass into a modern steel structure, foundations for which were laid by the Central Vermont railroad last November. The work of spanning the gap with the last of the steel girders occupied just one hour and twelve minutes. A short time after its completion, one of the yard engines with a string of freight cars passed over the new structure to prove its worth.

Bridge No. 12, as it is designated in Central Vermont road maps, is designed after the type of bridge known to builders as the through girder bridge with the steel floor system. Such structures are installed where head room is at a premium, as is the case at the Blackwell street underpass. It is one of the first of this type to be put into position by the Central Vermont railroad. Compared with the old wooden bridge, which had outlived its usefulness, the steel structure is longer and of greater breadth. Measuring 39 feet in length, it has a width of approximately 35 feet, wider by 12 feet than the one which it replaces. The steel girders are strung in one span and either end rests on abutments of solid concrete masonry. According to J. E. Cole of St. Albans, superintendent of bridge buildings for the railroad, it is one of the most substantial structures of its kind ever erected by the company. Mr. Cole has been in the city during the past few days engaged in overseeing the final details of the work.

Since the bridge is in a section where traffic is always heavy, the work has been carried on with some little inconvenience. Laborers in charge of E. S. Normandeau began the masonry work in November and the installation of the steel girders, etc., was started last week under the direction of C. Donaldson, a master bridge builder. The steel for the construction arrived some time ago, but the amount of traffic incident to the holidays, made it necessary to postpone operations until lately. People who inspected the bridge yesterday were struck by its substantial appearance.

MONTPELIER'S CASE HEARD.

That in Which Acceptance of Deeds For
School Site Is Questioned.

The suit of Marshall Wood and W. T. Dewey against the city of Montpelier has just been heard in Vermont supreme court, the case being maintained by the first-named plaintiff following the death of Mr. Dewey. The plaintiffs are represented by W. B. C. Stickney and W. N. Theriault, while City Attorney Bailey of Montpelier defended.

The action brought involves the question of whether the city accepted title of deeds made out by the Pitkin estate administrators in conveyance of land which they claim the city purchased for a site for a school building. Afterward the vote to purchase the property in question was rescinded and the city claims it never accepted the deeds. In the lower tribunal judgment was for the defendant.

Another case before supreme court was as follows: The Orleans county case of C. R. Holden vs. Merchants' National bank, et al. Attorney Rogers appearing for the plaintiff and John Young of Newport for the defendant; the facts showed a mortgage on a gasoline engine of a Manchester, N. H., firm and gave his note for \$300, orator claiming the property was sold and note given for the same and that agent misrepresented the machine; the court decided the case could not come before it properly at this time and it was dismissed.

The Weymouth county case of State vs. J. H. Kehy was presented on briefs; arguments were made in the Franklin county case of N. Myrtle Bray vs. Jane S. Bentley, and trustees, Elmer Johnson of St. Albans and R. W. Austin of the same city representing plaintiffs and defendants. The case was brought to recover amount of deposit in a Massachusetts savings bank made by Darius Bradley, deceased, brother of Jane Bentley, defendant, and which the plaintiff claims was made in trust for her.

The Chittenden county case of State of Vermont vs. Sidney Snyder, exceptions being made to judgment of Burlington city court, was submitted on briefs.

TUFTS BOYS SING

And After Concert at Goddard Seminary,
They and a Big Crowd Danced.

The eighth and closing concert of the holiday tour of the Tufts college glee and mandolin clubs was given at Goddard seminary last evening before a large audience which showed its appreciation by very liberal applause. Tufts is generally strong in harmony, and this year the clubs are no exception to the rule; and their effort last night must have been the culmination of a successful trip through the northern states of New England.

Both the glee and the instrumental clubs are well balanced and they show the result of efficient training and painstaking work on the part of the members. While the glee club was accorded the greatest show of appreciation, the mandolin club was strong with difficult selections. The solo work was exceptional, being good, that of R. R. Lamont, bass, being perhaps the most enjoyed because of the clearness and strength of the tones. R. E. Wood had a sweet, though less powerful voice. R. H. Page, second bass, had a voice of much depth, and as he is something of a mimic he drew forth a hearty round with some of the "cap's" yarns. C. L. Scott, the reader, who is a Goddard graduate, was recalled many times, because of the effectiveness of his renderings, particularly in the dialect.

The program as a whole was varied and calculated to appeal to all musical whims, from the comic "Jumbo" song to the classical "Toreador"; and there were so many encores that the fourteen numbers were almost doubled. Therefore, it was after 10 o'clock when the last number, "Brown and Blue," was given by the combined clubs and the Tufts graduates who were called from the audience to the stage. Then the floor was cleared, and dancing was started, to the music of Riley's orchestra. The dance continued to midnight. The Tufts boys left to-day for Medford to resume their studies.

GET READY
FOR HANGINGElroy Kent's Execution is Set
For Tomorrow at 10 A. M.

THE SHY MAKES REPLY

He Declares He Has Already Invited One
Newspaper Man to Execution and
May Invite Another—He Says
Kent Has Not Collapsed.

Woodstock, Jan. 4.—High Sheriff J. H. Kiniry of Windsor county, who has been in attendance at the trial of Dr. J. H. Theriault here, left for Windsor last evening to complete arrangements for the execution of Elroy Kent, who is to be hanged Friday afternoon at 1 o'clock at the Windsor prison.

Sheriff Kiniry was indignant over some of the statements to the effect that no representative of the press would be allowed to witness the hanging. "The report is entirely without foundation," he said, "inasmuch as I have already invited one member of the Associated Press to be present, and it is quite probable that I will invite another member of the Vermont press to attend."

Other reports that Kent is in a state of collapse, both mentally and physically, Sheriff Kiniry also wishes to contradict. He says the doomed man is in perfect health and his mental condition the same as it has been for years.

DOCTOR DENIED CHARGE.

And He Was Partially Supported By
Fellow Physician in Court.

Woodstock, Jan. 4.—Witnesses in the case of State vs. Dr. J. H. Theriault of Claremont, N. H., charged with having performed a criminal operation on Alice Towle of White River Junction and with having murdered the child, John Towle, yesterday corroborated the testimony of Tuesday. Chief of Police Oter testified that Theriault acted strangely when he left the train at the Junction the night of the operation. Harriet Howard said that Theriault had a bag in his hand when he came to the room. James Ellis corroborated the testimony of Alice Towle and identified the check for \$50 given her by Theriault.

For the defense, Dr.